

OCT 30 2003

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TO:	Amy Cohen
FROM:	Tuesday
DATE:	10/30/03
TELEPHONE NUMBER TRANSMITTING TO:	(703) 872-9306
NUMBER OF PAGES (INCLUDING COVER PAGE):	18
MATTER:	Continuation-In-Part Appl.
CLIENT NUMBER:	11716-001 / Greg Newman
COMMENTS:	See attached application & express mail receipt.

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 45,024
First Inventor Gregory T. Newnan
Title Leveling and Marking Tool
Express Mail Label No. ER 384635162 US

APPLICATION ELEMENTS

See MPEP chapter 800 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 9]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 1]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, sec 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No. 10,029,650

Prior application information:

Examiner Amy R. Cohen

Group Art Unit

2859

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

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Name (Print/Type) Gary K. Price Registration No. (Attorney/Agent) 45,024
Signature [Signature] Date 9/15/03

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3. NEW YORK and NEW JERSEY
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Via Express Mail: ER 384635162 US

September 15, 2003

Box FEE
Asst. Commissioner of Patents & Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Amy R. Cohen
Art Unit: 2859

RE: Continuation-In-Part Application of Serial No.: 10/029,650
Filing Date: December 20, 2001, entitled "Leveling and Marking Tool"
Our Client No. 11716.001

Gentlemen:

Please be advised that this office represents the inventor and owner of the above-referenced application. Enclosed herewith please find:

1. The Continuation-In-Part application for the Leveling and Marking Tool (9 pages);
2. Drawing (2 page);
3. Utility Patent Application Transmittal;
4. Inventor's Small Entity Status Statement;
5. Oath;
6. Power of Attorney; and
7. This office's check in the sum of \$375.00, such sum representing the application filing fee.

I also enclose a stamped postcard for return mailing purposes.

Should you have any questions regarding the foregoing, please do not hesitate to contact the undersigned at the letterhead address.

Sincerely,

BOWERS HARRISON, LLP

Gary K. Price

GKP/tjs
Enclosures
cc: Greg Newman